

FORM PTO-1390 MODIFIED	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTORNEY'S DOCKET NUMBER BHD-4662-214
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/586,127
INTERNATIONAL APPLICATION NO. PCT/NL2005/000039	INTERNATIONAL FILING DATE 19 January 2005	PRIORITY DATE CLAIMED 19 January 2004
TITLE OF INVENTION THERMOPLASTIC ELASTOMER COMPOSITION		
APPLICANT(S) FOR DO/EO/US NIEMARK et al		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</p> <p>4. <input type="checkbox"/> The U.S. has been elected (Article 31).</p> <p>5. A copy of the International Application as filed (35 U.S.C. 371(c)(2)).</p> <p>a. <input type="checkbox"/> is attached hereto (pages specification, claims & abstract (claims), sheets drawings).</p> <p>b. <input type="checkbox"/> has been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</p> <p>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> is attached hereto (pages specification, claims & abstract (claims), sheets drawings, page Certificate of Translation).</p> <p>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</p> <p>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))</p> <p>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</p> <p>b. <input type="checkbox"/> have been communicated by the International Bureau.</p> <p>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p>d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</p> <p>9. a. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</p> <p>b. <input type="checkbox"/> Declaration was submitted to the International Bureau during International Phase (see copies of Declaration (page Form PCT/RO/101 and Form PCT/IB/371 and first page of printed publication acknowledging receipt thereof attached)).</p> <p>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</p>		
Items 11 To 20 below concern document(s) or information included:		
<p>11. <input type="checkbox"/> An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.</p> <p>13. a. <input type="checkbox"/> A FIRST preliminary amendment.</p> <p>b. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> An Application Data Sheet under 37 C.F.R. § 1.76.</p> <p>15. <input type="checkbox"/> A substitute specification.</p> <p>16. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821-1.825.</p> <p>18. <input type="checkbox"/> A second copy of the published international application under 35 U.S.C. 154(d)(4).</p> <p>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</p> <p>20. <input checked="" type="checkbox"/> Other items or information. RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS</p>		

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 10/586,127			INTERNATIONAL APPLICATION NO. PCT/NL2005/000039			ATTORNEY'S DOCKET NUMBER 4662-214			
<input checked="" type="checkbox"/> The following fees are submitted:									
BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)):									
21. <input type="checkbox"/> Basic national fee \$300.00 (1631)/\$150.00 (2631) \$									
22. <input type="checkbox"/> Examination Fee..... \$0 (1643/2643) \$									
23. <input type="checkbox"/> Search Fee \$200.00 (1633)/\$100.00 (2633) \$									
..... \$100 (1641)/\$50 (2641) \$									
..... \$400 (1642)/\$200 (2642) \$									
..... \$500.00 (1632)/\$250.00 (2632) \$									
TOTAL OF ABOVE CALCULATIONS \$ 0.00									
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.									
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)			RATE				
0 -100	0	/50 =	0.00		\$0.00 (1681)		\$		
\$0.00 (2681)									
Surcharge of \$130.00 (1617)/\$65.00 (2617) for furnishing the oath or declaration later than <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(e)).									
CLAIMS	NUMBER FILED	# EXTRA	RATE						
Total Claims		minus 20 =	0 X	\$50.00 (1615)/	\$25.00 (2615)		\$		
Independent Claims		minus 3 =	0 X	\$200.00 (1614)	\$100.00 (2614)		\$		
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)				\$360.00 (1616)/\$180.00 (2616)			\$	0.00	
Petition is hereby made to extend the current due date so as to cover the filing date of this paper and attachment(s): One Month Extension \$120.00 (1251)/\$60.00 (2251); Two Month Extensions \$450.00 (1252)/\$225.00 (2252); Three Month Extensions \$1020.00 (1253)/\$510.00 (2253); Four Month Extensions \$1590.00 (1254)/\$795.00 (2254)								\$	0.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27.									
Processing fee of \$130.00 (1618), for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 C.F.R. 1.492(f)). +									0.00
TOTAL NATIONAL FEE =								\$	0.00
Fee for recording the enclosed assignment (37 C.F.R. 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. 3.28, 3.31). \$40.00 (8021) per property +								\$	0.00
Fee for Petition to Revive Unintentionally Abandoned Application; \$1500.00 (1453) / \$750.00 (2453)								\$	0.00
TOTAL FEES ENCLOSED =								\$	0.00
								Amount to be refunded:	\$
								Amount to be Charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$0.00 to cover the above fees is enclosed.</p> <p>b. <input type="checkbox"/> Please charge my Deposit Account No. 14-1140 in the amount of \$_____ to cover the above fees.</p>									

- A duplicate copy of this form is enclosed.
- c. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 14-1140. A duplicate copy of this form is enclosed.
- d. **CREDIT CARD PAYMENT FORM ATTACHED.**
- e. The entire content of International Application No. **PCT/NL2005/000039** and any U.S. and foreign application(s) corresponding thereto, and , referred to in this application is/are hereby incorporated by reference in this application.

NOTE: Where an appropriate time limit under 37 C.F.R. 1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. 1.137(a) or (b) must be filed and granted to restore the application to pending status.

CORRESPONDENCE ADDRESS

Direct all correspondence to:

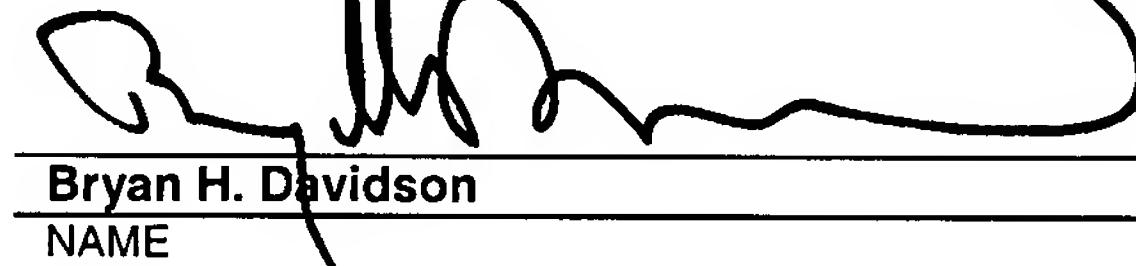
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Telephone: (703) 816-4000

BHD:lmv



Bryan H. Davidson

NAME

30,251

REGISTRATION NUMBER

May 17, 2007

Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

NIEMARK et al

Atty. Ref.: **4662-214**

Serial No. **10/586,127**

Group:

National Phase of: **PCT/NL2005/000039**

International Filing Date: **19 January 2005**

Submitted: **July 17, 2006**

Examiner:

For: **THERMOPLASTIC ELASTOMER COMPOSITION**

* * * * *

May 17, 2007

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS

Sir:

The following is intended to be fully responsive to the Notification of Missing Requirements mailed April 12, 2007 (copy attached).

Specifically, applicants submit the following explanation concerning the difference existing with regard to the 2nd inventor's name as it appears on the declaration and the International Application: "Sarkissova" is the inventor's maiden name, while "Mikhaylova" is her husband's surname. Hence, the Declaration for the subject was prepared and executed in the form of the inventor married name "Marianna Sarkissova-Mikhaylova".

The undersigned should be contacted in the event any further information and/or documentation is needed in this regard.

Respectfully submitted,

NIXON & VANDERHYE P.C.

By:


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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/586,127	Godfried J F Niemark	4662-214 <i>BHD</i>
INTERNATIONAL APPLICATION NO.		
PCT/NL05/00039		
I.A. FILING DATE		PRIORITY DATE
01/19/2005		01/19/2004
CONFIRMATION NO. 1799		
371 FORMALITIES LETTER		
 <i>*OC000000023336550*</i>		

Date Mailed: 04/12/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/17/2006
- Copy of the International Search Report filed on 07/17/2006
- Preliminary Amendments filed on 07/17/2006
- Information Disclosure Statements filed on 07/17/2006
- Oath or Declaration filed on 11/07/2006
- Request for Immediate Examination filed on 07/17/2006
- U.S. Basic National Fees filed on 07/17/2006
- Priority Documents filed on 07/17/2006

✓

DOCKETED

CLT/MATTER # 4662-214
 MAIL DATE 4/12/2007
 DUE DATE June 12, 2007
 FINAL DEADLINE NOV. 12, 2007
 DOCKETED BY LGS/J

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - The 2nd inventor's name is different on the declaration than on the International Application. Please clarify.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed

to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/586,127	PCT/NL05/00039	4662-214

FORM PCT/DO/EO/905 (371 Formalities Notice)